

CITY OF MEMPHIS

COUNCIL AGENDA
May 4, 2004
Public Session Tuesday, 3:30 p.m.
Council Chambers, First Floor, City Hall
125 North Main Street
Memphis, Tennessee 38103-2017

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (April 27, 2004)

CONSENT AGENDA

GENERAL ORDINANCES - FIRST READING

1. **ORDINANCE** to amend Chapter 21, Sections 21-23.1 and 23.2 Code of Ordinance, City of Memphis, so as to incorporate recent changes in Tennessee Law Governing Child Passenger Safety, up for F I R S T reading.

Holt Ordinance No. 5059

ACTION REQUESTED: Adopt the ordinance on First reading

2. **ORDINANCE** to amend Chapter 25, Code of Ordinances, City of Memphis, so as to increase Pension Benefits allowable under Section 25-95 and 25-195, up for F I R S T reading.

Mitchell Ordinance No. 5060

ACTION REQUESTED: Adopt the ordinance on First reading

3. **ORDINANCE** establishing the Fiscal 2005 Operating Budget for the City of Memphis, up for F I R S T reading.

Mitchell Ordinance No. 5061

ORDINANCE appropriating the proceeds of the tax levy on the assesses values on all properties of every species within the City limits for general purposes for the Fiscal Year July 1, 2004 through June 30, 2005, inclusive, together with all collections from privileges, licenses, fees, fines, permits, charges, requests, transfers from non-budget accounts, earnings, refunds, and all other items constituting the revenue receipts of the City of Memphis for the Fiscal Year July 1, 2004 through June 30, 2005, inclusive to provide the manner in which monies may be transferred from one fund to another and to provide the standard code designations under which the appropriations are to be administered and accounting control maintained.

ACTION REQUESTED: Adopt the ordinance on First reading

4. **ORDINANCE** to fix the Tax Rate of the City of Memphis for Fiscal Year 2005, up for F I R S T reading.

Mitchell Ordinance No. 5062

ACTION REQUESTED: Adopt the ordinance on First reading

<u>May 4, 2004</u> <u>Page 2</u>

GENERAL ORDINANCE - SECOND READING

5. **ORDINANCE** amending Section 21-134A, "Definition of Cruising", up for S E C O N D

reading.

<u>Taylor</u> Ordinance No. 4953A

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCES - FIRST READING (none)

ZONING ORDINANCES- SECOND READING

6. **ORDINANCE** rezoning the north side of Summer Avenue; +450 feet east of Isabelle Street, containing 10,454 square feet in the Duplex Residential (R-D) District, up for S E C O N D

reading.

Peete Ordinance No. 5055 Case No. Z 04-111

Applicant: John and Lisa Haley

John and Lisa Haley – Representatives

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

7. **ORDINANCE** rezoning the northeast corner of Getwell Road and Willow Road @ rear of lot only, containing 3,123 sq. ft., in the Single Family Residential (R-S6) District, up for

S E C O N D reading.

Peete Ordinance No. 5056
Case No. Z 04-114

Applicant: Wade H. Walker

Wade H Walker – Representative

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

8. **ORDINANCE** rezoning the southeast corner of Ida Place and Mississippi Boulevard, containing 0.16 acre (6,969.60 sq. ft.) in the College and University (CU) District, up for S E C O N D

reading.

Peete Ordinance No. 5057
Case No. Z 04-113

Case No. 2 04-113

Applicant: Arvis & Sonja Latting, Jr.

Booker T. Middleton – Representative

Request: Neighborhood Commercial (C-N) District

LUCB and OPD recommendation: APPROVAL, of the Neighborhood

Commercial (C-N) District

ACTION REQUESTED: Adopt the ordinance on Second reading

9. **ORDINANCE** rezoning the north side of Holmes Road; beginning 515+ feet west of Autumn Forest Drive; extending north to the southern termini of Autumn Evening Lane and Autumn Morning Lane, containing 14.01 acres in the Agricultural (AG) District, up

for S E C O N D reading.

Peete Ordinance No. 5058
Case No. Z 04-116cc

<u>May 4, 2004</u> <u>Page 3</u>

Applicant: Trimark, LLC

Mac Ghasemmi – Representative

Request: Single Family Residential (R-S10) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

ENGINEERING

10. RESOLUTION approving final plat of STONEBRIAR P.D., PHASE 1, PARTS OF AREAS 1,2,3 &5.

Case No. PD 03-335cc Contract No. CR-4864

Resolution approves the final plat located on the eastside of Easterly Lane, south of East Holmes Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION approving final plat of STONEBRIAR P.D, PHASE 4, AREA 6.

Case No. PD 03-335cc Contract No. CR-4865

Resolution approves the final plat located on the west side of Shades Valley Place, south of East Holmes Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

12. RESOLUTION approving final plat of STONEBRIAR P.D., PHASE 2, PART OF AREAS 1 & 4.

Case No. PD 03-335cc Contract No. CR-4866

Resolution approves the final plat located on the east side of Easterly Lane, 906.99 feet south of East Holmes Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving final plat of STONEBRIAR P.D., PHASE 3, AREA 5. Case No. PD 03-335cc

Resolution approves the final plat located on the south side of East Holmes Road, 476.09 feet west of Easterly Lane. Cost of the required improvements to be borne by the developer. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

<u>May 4, 2004</u> <u>Page 4</u>

14. RESOLUTION approving final plat of GLEN LAKES P.D., PHASE 2.

Case No. PD 01-320cc Contract No. CR-4867

Resolution approves the final plat located on the east side of Houston Levee Road and 2507.85 feet south of Morning Sun Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

15. RESOLUTION accepting DIAMOND ESTATES SUBDIVISION, SECOND ADDITION, PHASE 1 and authorizing release of bond.

Case No. S 99-031 (Contract No. CR-4761)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Holmes Road, east of Weaver Road. The standard improvement contract was approved on November 26, 2002. Resolution also authorizes the release of the letter of credit in the amount of \$16,100.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

16. RESOLUTION accepting DIAMOND ESTATES SUBDIVISION, SECOND ADDITION, PHASE 2 and authorizing release of bond.

Case No. S 99-031 (Contract No. CR-4675)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on Lodestone Way, south of Holmes Road, east of Weaver Road. The standard improvement contract was approved on November 20, 2001. Resolution also authorizes the release of the letter of credit in the amount of \$22,000.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

17. RESOLUTION accepting DIAMOND ESTATES SUBDIVISION, PHASE 7 and authorizing release of bond.

Case No. S 95-060 (Contract No. CR-4676AM)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Holmes Road, east of Weaver Road. The standard improvement contract was approved on November 20, 2001. Resolution also authorizes the release of the letter of credit in the amount of \$45,500.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

18. RESOLUTION approving final plat of MILLER SUBDIVISION.

Case No. S 03-008cc

Resolution approves the final plat located on the east side of Bridgewater Road, 975 feet south of Bridgewater Church Road. Cost of the required improvements to be borne by the developer. This action is subject to County approval.

City Engineer recommends approval

May 4, 2004 Page 5

ACTION REQUESTED: Adopt the resolution

NOTATIONS FROM OPD

19. **NOTATIONS** from Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

A. <u>Case No. PD 04-310</u>

Located on the northwest corner of Airways Boulevard and Kilarney Avenue, containing 81 acres in the Single Family Residential (R-S8), Townhouse Residential (R-TH) and Local Commercial (C-L) Districts

Applicant: William H. Thomas

Richard Fields - Representative

Request: Warehouse Planned Development

LUCB and OPD recommendation: REJECTION

B. <u>Case No. PD 04-312</u>

Located on the west side of N. Germantown Parkway; +/-1,1,50 feet north of Chimneyrock Boulevard, containing 15.0 acres of vacant land currently governed by the Galleria of Memphis Planned Development (P.D. 90-315)

Applicant: Anderson Development Partners

Farris, Mathews, Branan, Bobango & Hellen, PLC - (Homer Branan) -

Representative

Request: Planned development amendment to create Parcel I-Area F to allow motor

vehicle sales and service in a portion of Parcel I-Area A and Parcel

B-2 of the Outline Plan

LUCB and OPD recommendation: APPROVAL, with conditions

C. <u>Case No. PD 04-316cc</u> - BUCKLAND PLANNED DEVELOPMENT

Located on the northside of Raleigh-LaGrange Road; ±2,365 feet west of Collierville-Arlington Road, containing 20.089 acres in the Agricultural (AG) District

Applicant: Denson C. Napier, Jr.

Dalhoff Thomas Daws - Representative

Request: A planned development to create nine (9) single family detached lots

(minimum lot size 2.0 acres)

LUCB and OPD recommendation: APPROVAL, with conditions

D. <u>Case No. PD 03-353cc</u> - WINDYKE SOUTH P.D.

Located on the southern terminus of Windyke, Clubview, and Greenbelt Drives; ±170 feet south Glen Eden Drive, containing 111 acres in the Single Family Residential (R-S10), Single Family Residential Flood Plain (R-S10[FP]), Single Family Residential (R-S8), Single Family Residential Flood Plain (R-S8[FP]), Townhouse Residential (R-TH), Townhouse Residential Flood Plain (R-TH[FP]), Multi-Family Residential (R-ML) and Multi-Family Residential Flood Plain (R-ML[FP]) Districts

Applicant: Belz Investco, GP

Ronald Harkavy - Representative

Request: Planned development to create a mixture of lot sizes ranging between a

minimum of 3,500 square feet to a maximum of 10,000 square feet in accordance with the bulk regulations of the R-S and R-TH Districts

LUCB and OPD recommendation: APPROVAL, with conditions

May 4, 2004

I-Area

Page 6

E. <u>Case No. SAC 04-605</u> - SHEPARD'S TREE STREET

Beginning on the north side of Kilarney Avenue and extending +203 feet therefrom and beginning south on the side of Holmes Road and extending +669 feet therefrom, containing 81 acres

Applicant: William H. Thomas

Richard Fields - Representative

Request: Partial Street Closure

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Set a date of public hearing

SUGGESTED DATE: May 18, 2004



CITY OF MEMPHIS

COUNCIL AGENDA

May 4, 2004

Public Session, Tuesday,3:30p.m.
Council Chambers, First Floor, City Hall
125 N. Main Street
Memphis, TN 38103-2017

APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

REGULAR AGENDA

PRESENTATIONS AND RECOGNITION OF VISITORS

20. RESOLUTION honoring Ernestine Peete.

<u>Holt</u>

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION approving an honorary street name change for Edward L. Stanton, Sr.

Brown

ACTION REQUESTED: Adopt the resolution

EXECUTIVE DIVISION (none)

FINANCE & ADMINISTRATION

22. the Holt RESOLUTION transferring and appropriating \$160,000.00 in G.O. Bonds General for Main Library Construction. CIP Project Number LI001.

ACTION REQUESTED: Adopt the resolution

DIVISION OF FIRE SERVICES (none)

DIVISION OF GENERAL SERVICES

23. RESOLUTION appropriating \$20,000.00 in construction funds, funded by G.O. Bonds General for various projects such as monorail car repair, escalator maintenance and Riverwalk sign panels.

Jones

Council did include Mud Island Repairs, CIP Number GS032 as part of the FY 2004 Capital Improvement Program

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION approving a transfer of an unimproved City owned, tax parcel. The property fronts on the south side of Southern Avenue west of Rozelle Street. The Glenview Community Development Partners, Inc., plans to build a single family house that is to be owner occupied.

1st Reading Jones

Resolution approves the request of Glenview Community Development Partners, Inc., for the City to transfer property to them for a fee of Fifty (\$50.00) Dollar. The Division of Housing and Community Development has approved the transfer of the subject property to this newly designated CHDO. The housing design which HCD approved for a single family low to moderate income housing unit that is to be owner occupied has been made a part of the Transfer Agreement.

<u>May 4, 2004</u> <u>Page 8</u>

The City property has 48 feet of frontage on the south side of Southern and a depth of 131. The Shelby County Assessor's Office identifies the City parcel as Ward 031, Block 027, Parcel 017. The subject property was acquired by the City in Tax Sale #13, Chancery Court File No. 9460-2 R.D., as Exhibit #2676. Per ordinance, the transfer of the subject parcel is subject to the request laying over for a second reading to allow interested parties to voice either their approval or opposition to the transfer. Resolution approval on the second reading shall be deemed approval of the transfer. Resolution also authorizes the Mayor to execute the necessary documents in connection with the transfer.

Directors of HCD and General Services recommends approval

ACTION REQUESTED: Adopt the resolution

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT

25. RESOLUTION to adopt and approve the proposed Consolidated Plan Three-Year Strategy for 2005-2007 and FY 2005 Annual Action Plan. Resolution also appropriates FY 2005 CDBG, HOME, ESG and HOPWA Program Funds from the U.S. Department of Housing and Urban Development to the FY 2005 budget for the Division of Housing and Community Development.

<u>Ford</u>

ACTION REQUESTED: Adopt the resolution

<u>DIVISION OF HUMAN RESOURCES</u> (none)

<u>LAW DIVISION</u> (none)

DIVISION OF PARK SERVICES

26. RESOLUTION appropriating \$500,000.00 in G.O. Bonds General for the installation of fiber optic cable, computers and telecommunications equipment at Orange Mound Community Center, Glenview, McWherter, Pine Hill and Cunningham Community Centers. Project Number PK194, Telecommunications.

McCormick

ACTION REQUESTED: Adopt the resolution

DIVISION OF POLICE SERVICES

27. RESOLUTION accepting grant funds in the amount of \$34,020.00 from Shelby County Government for the Juvenile Accountability Block Grant and the City of Memphis to provide a ten percent match of funds in the amount of \$3,780.00. These funds will be used to promote greater accountability in the juvenile justice system. Resolution also amends the Fiscal Year 2004 operating budget to appropriate grant and matching funds.

Taylor

ACTION REQUESTED: Adopt the resolution

28. RESOLUTION appropriating Special Revenue funding of \$994,812.00 in the Fiscal Year 2004 Operating Budget for Police In-Service Training.

<u>Taylor</u>

ACTION REQUESTED: Adopt the resolution

29. RESOLUTION to correct the Police Division CIP #PD049, Capital Acquisition Project to correctly reflect the Police Division purchasing of two microwave transmitters.

Taylor

ACTION REQUESTED: Adopt the resolution

30. RESOLUTION appropriating the sum of \$5,000.00 in furniture, fixtures and equipment funded by G.O. Bonds General, chargeable to the Fiscal Year 2004 Capital Improvement Budget for the Stable for the Mounted Unit, Project Number PD040.

<u>Taylor</u>

ACTION REQUESTED: Adopt the resolution

May 4, 2004 Page 9

> **DIVISION OF PUBLIC SERVICES** (none)

> **DIVISION OF PUBLIC WORKS** (none)

GENERAL ORDINANCES - THIRD AND FINAL READING (none)

ZONING ORDINANCES - THIRD AND FINAL READING

31. **ORDINANCE** rezoning the southwest corner of Bender Road and Interstate 55, containing 14.26 acres in the Multiple Family Residential (R-ML) District, up for T H I R D and F I N A L

reading.

Ordinance No. 5048 **Peete** Case No. Z 04-103

> Applicant: Southwest Tennessee Community College, Summer Bakery, LLC.,

> > & David Hogue

Ricky Wilkins, Atty. - Representative

11.03 acres in the Highway Commercial (C-H) & 3.23 acres in the Single Request:

Family Residential (R-S10) Districts

LUCB recommendation: APPROVAL of C-H and R-S10 on Parcels 1, 3, 4, & 5

OPD recommendation: REJECTION of C-H on Parcels 1, 3, & 4 and APPROVAL

of R-S10 on Parcel 5

Take whatever action Council deems advisable **ACTION REQUESTED:**

125 NOTICES MAILED ON APRIL 23, 2004

32. **ORDINANCE** rezoning the south side of Democrat Road; +331.95 feet west of the west line of U.S. Highway 78 containing 7.948 acres in the Highway Commercial (C-H) District, up for

THIRD and FINAL reading.

Peete Ordinance No. 5049 Case No. Z 04-105

> Applicant: William B. Simmons

> > Construction Engineering Services – Representative

Request: Light Industrial (I-L) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

50 NOTICES MAILED ON APRIL 23, 2004

33. **ORDINANCE** rezoning the south side of Roosevelt Avenue, ±90 feet west of Watkins Street, containing 20,000 sq. ft.(0.46 acre) in the Parking (P) District, up for T H I R D and F I N A L reading.

Ordinance No. 5050 Peete Case No. Z 04-106

> Family Dollar Stores, Inc. Applicant:

> > Jud TePaske(Fisher & Arnold) – Representative

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

Take whatever action Council deems advisable **ACTION REQUESTED:**

64 NOTICES MAILED ON APRIL 23, 2004

May 4, 2004 **Page 10** 34. **ORDINANCE** rezoning the north side of Summer Avenue; between Glankler Street and Tillman

Street, containing ±1.0 acre in the Duplex Residential (R-D) & Highway Commercial (C-H)

Districts, up for THIRD and FINAL reading.

Peete Ordinance No. 5051 Case No. Z 04-107

Applicant: Family Dollar Stores, Inc.

The Hutton Company & Fisher & Arnold, Inc. (Judson TePaske) –

Representative

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

103 NOTICES MAILED ON APRIL 23, 2004

35. **ORDINANCE** rezoning the west side of National Street; ±205 feet south of Hardin Avenue, containing 4.05 acres in the Multiple Dwelling Residential (R-ML) District, up for T H I R D

and FINAL reading.

Peete Ordinance No. 5053 Case No. Z 04-110

Applicant: Harmony Woods Apartments, L.P.

Harvey Marcom (The Reaves Firm) - Representative

Request: Multiple Dwelling Residential (R-MM) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

140 NOTICES MAILED ON APRIL 23, 2004

36. **ORDINANCE** rezoning the southwest corner of Trimble Place and Florence Street, containing 5,000 sq. ft. (0.114 acre) in the Multiple Family Residential (R-MM) District, up for T H I R D and F I N A L reading.

<u>Peete</u>

Ordinance No. 5054 Case No. Z 04-109

Applicant: Deliece Hurdle dba/Fresh Faces

Sam Zalowitz – Representative

Request: Local Commercial (C-L) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

31 NOTICES MAILED ON APRIL 23, 2004

DIVISION OF PLANNING & DEVELOPMENT (none)

PUBLIC HEARINGS

37. RESOLUTION approving a planned development located on the west side of Belvedere Blvd.; ±710 feet north of Madison Avenue, containing 12,200 sq. ft. (0.28 acre) in the Multiple Family Residential (R-MM) District. (Held from 4/27)

Peete Case No. PD 03-364

Applicant: Wayne Martin

Request: Eight (8) multi-family residential units in two separate buildings

<u>May 4, 2004</u> <u>Page 11</u>

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

63 NOTICES MAILED ON APRIL 16, 2004

38. RESOLUTION approving a planned development located on the northeast corner of Dexter Road and Wynne Road, containing 10.91 acres in the Single Family Residential (R-S8) District.

Peete Case No. PD 04-307cc

Applicant: Yearwood Company (Al Yearwood)

Ron Harkavy – Representative

Request: A maximum of 82 lots

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: Hold for Redesign

ACTION REQUESTED: Take whatever action Council deems advisable

295 NOTICES MAILED ON APRIL 23, 2004

39. RESOLUTION approving a planned development located on the north side of Elmore Road; +430 feet west of Whitten Road, containing 7.29 acres in the Multiple Family Residential (R-ML) District.

Peete Case No. PD 04-317

Applicant: Cornerstone Development Group

S R Consulting (Cindy Reaves) - Representative

Request: A maximum of 55 single family lots

LUCB recommendation: APPROVAL, with conditions

OPD recommendation: Hold for Details

ACTION REQUESTED: Take whatever action Council deems advisable

107 NOTICES MAILED ON APRIL 23, 2004

40. RESOLUTION approving a planned development located on the south side of American Way; ±711 feet west of Clearbrook Street, containing 3.531 acres in the Planned Commercial (C-P) District.

Peete Case No. PD 04-318

Applicant: LBLW Properties, LLC

Ronald Harkavy (Armstrong Allen, PLLC) - Representative

Request: Allow use of existing building for warehousing and distribution of

merchandise and apparel, in addition to the commercial and office uses

permitted under current zoning

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

52 NOTICES MAILED ON APRIL 23, 2004

41. RESOLUTION approving a planned development Located on the east side of Goodwyn Street; +400.72 feet north of Midland Avenue, containing 6.91 acres in the Single Family Residential (R-S6) District.

Peete Case No. PD 04-320

Applicant: R.W. Fairways, LLC, (Chip Tayloe)
Ronald Harkavy – Representative

May 4, 2004 Page 12

Request: 10 single family lots (including the two existing homes)

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

46 NOTICES MAILED ON APRIL 23, 2004

42. RESOLUTION approving a street/alley closure Taxiway Road located between Rudder Road and Sanderwood Drive, Hanger Road & Rudder Road – up to 103 and 110 feet east of Taxiway Road, Sanderwood Drive – up to 238 feet east of Taxiway Road, containing 1.726 acres in the

Light Industrial (I-L) District.

Peete Case No. SAC 03-615

Applicant: Memphis Shelby County Airport Authority

SR Consulting, LLC – Representative

Request: Close & Vacate Street Rights-Of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

13 NOTICES MAILED ON APRIL 13, 2004

43. RESOLUTION approving a special use permit located on the north of Watauga Avenue; <u>+</u> 575 feet east of Highland Avenue, containing 20,000 sq. ft. (0.46 acre) in the Single-Family Residential (RS-6) District. (Held from 4/27)

Peete Case No. SUP 04-205

Applicant: Wesley Highland Nursing Homes, Inc.

Cindy Reaves, SR Consulting, LLC - Representative

Request: Access to adjoining nursing home; Build entrance/exit driveways

Residential home for the aged: Include assisted living facility in site

plans

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

77 NOTICES MAILED ON APRIL 16, 2004

ADJOURNMENT